

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DISTRICT
AT CLEVELAND**

ASHLAND UNIVERSITY,

Plaintiff,

v.

Case No. 1:23-cv-1850

MIGUEL CARDONA, *in His Official Capacity
as the Secretary of the United States Department
of Education,*

Defendant.

MOTION FOR PRELIMINARY INJUNCTION

Comes now the plaintiff, Ashland University (“AU”), by counsel, pursuant to Rule 65 of the Federal Rules of Civil Procedure and moves the Court for the issuance of a preliminary injunction against Michael Cardona, in his official capacity as the Secretary of the United States Department of Education (the “Secretary”). In support of this Motion, AU relies on the “Memorandum of Law in Support of Plaintiff’s Motion for Preliminary Injunction” attached as Exhibit A and the “Verified Complaint” attached as Exhibit B.

WHEREFORE, AU requests that this honorable Court **ENJOIN** the Secretary from undertaking any efforts to collect approximately \$6,131,790.46 from AU which represents a penalty imposed upon AU per final agency action by the Secretary on August 9, 2023, as confirmed by the Secretary in a notice issued under 34 C.F.R. § 668.119 on September 20, 2023.

Respectfully submitted this 25th day of September, 2023.

**ASHLAND UNIVERSITY,
By Counsel,**

/s/J. Kevin West

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CERTIFICATE OF SERVICE

I hereby certify that on the 25th day of September, 2023, I served the foregoing “Motion for Preliminary Injunction” upon the parties, by depositing a true copy thereof in the United States mail, postage prepaid, in an envelope addressed as follows:

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/s/ J. Kevin West
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Counsel for Plaintiff
Ashland University